

Steve W. Berman (*pro hac vice*)
 Emilee N. Sisco (*pro hac vice*)
 Stephanie Verdoia (*pro hac vice*)
 Meredith Simons (SBN 320229)
 HAGENS BERMAN SOBOL SHAPIRO LLP
 1301 Second Avenue, Suite 2000
 Seattle, WA 98101
 Telephone: (206) 623-7292
 Facsimile: (206) 623-0594
 steve@hbsslaw.com
 emilees@hbsslaw.com
 stephaniev@hbsslaw.com
 merediths@hbsslaw.com

Benjamin J. Siegel (SBN 256260)
 HAGENS BERMAN SOBOL SHAPIRO LLP
 715 Hearst Avenue, Suite 300
 Berkeley, CA 94710
 Telephone: (510) 725-3000
 Facsimile: (510) 725-3001
 bens@hbsslaw.com

Class Counsel for Plaintiffs

Jeffrey L. Kessler (*pro hac vice*)
 David G. Feher (*pro hac vice*)
 David L. Greenspan (*pro hac vice*)
 Adam I. Dale (*pro hac vice*)
 Sarah L. Viebrock (*pro hac vice*)
 Neha Vyas (*pro hac vice*)
 WINSTON & STRAWN LLP
 200 Park Avenue
 New York, NY 10166-4193
 Telephone: (212) 294-4698
 Facsimile: (212) 294-4700
 jkessler@winston.com
 dfeher@winston.com
 dgreenspan@winston.com
 aidale@winston.com
 sviebrock@winston.com
 nvyas@winston.com

Jeanifer E. Parsigian (SBN 289001)
 WINSTON & STRAWN LLP
 101 California Street, 21st Floor
 San Francisco, CA 94111-5840
 Telephone: (415) 591-1000
 Facsimile: (415) 591-1400
 jparsigian@winston.com

Class Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
 LITIGATION

Case No. 4:20-cv-03919 CW

**DECLARATION OF DEWAYNE CARTER
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR ATTORNEYS' FEES,
 REIMBURSEMENT OF LITIGATION
 EXPENSES, AND SERVICE AWARDS FOR
 CLASS REPRESENTATIVES**

Hrg. Date: April 7, 2025
 Time: 10:00 a.m.
 Judge: Hon. Claudia Wilken
 Courtroom: 2, 4th Floor

1 I, DEWAYNE CARTER, declare as follows:

2 1. I am one of the named plaintiffs in the above-entitled action. I have personal knowledge
3 of the facts stated in this declaration and, if called as a witness, I could and would testify competently
4 to them. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Reimbursement
5 of Litigation Expenses, and Service Awards for Class Representatives.

6 2. I became involved in this litigation in November 2023, before the complaint in *Carter*
7 *v. NCAA*, No. 3:23-cv-06325-RS (N.D. Cal.)—which has now been consolidated with the above-
8 entitled action—was filed. I joined this litigation because I felt it was the right thing to do. What I
9 could receive personally from the case has never been my motivation for serving as a class
10 representative and pursuing claims on behalf of current and former college athletes. Although my own
11 losses in this case are small when compared to the overall settlement, I believe in this case and have
12 been dedicated in putting my time and energy to benefit the classes and all college athletes.

13 3. I understood from the outset that participating in this lawsuit as a class representative
14 would not necessarily provide a significant financial benefit to me. I also knew that there was no
15 guarantee I would personally receive any more from my involvement beyond what other class
16 members may receive, and that I could receive nothing if my attorneys and I were unsuccessful in this
17 litigation, in which case the time and energy that I devoted to the case would not result in any financial
18 recovery whatsoever.

19 4. From the inception of the *Carter* litigation, I have actively and diligently performed my
20 duty to assist counsel in developing, prosecuting and settling this case, investing significant time and
21 effort to fulfill my role as a class representative. Among other things, I have devoted significant time
22 to:

- 23 • Working with Class Counsel in the investigation of my claims and Plaintiffs' claims
24 generally;
- 25 • Reviewing the initial *Carter* complaint, as well as the subsequent consolidated and
26 amended complaints in this action;
- 27 • Regularly communicating with Class Counsel regarding the status and progress of the
28 case;

- Ensuring that any relevant documents in my possession were preserved;
- Reviewing important litigation briefs and Court orders;
- Consulting with Class Counsel regarding the prospects of settlement;
- Reviewing the settlement before it was submitted for preliminary approval, and the amendments to the settlement before the revised settlement was submitted for preliminary approval; and
- Consulting with Class Counsel throughout the settlement process to ensure the class will achieve a fair outcome.

5. Throughout this litigation, I have had numerous conversations with counsel both by video and over the phone, and have exchanged many emails and text messages about relevant facts, strategy, and case updates. On many occasions, I proactively sought status updates from, and asked questions to, Class Counsel.

6. At the time the *Carter* case was filed, I was a student at Duke University where I also competed as a member of the Football team. I incurred substantial risks and costs in taking on a leadership role in, and lending my name to, this high-profile litigation against the NCAA and the most prominent conferences in college athletics, including possible ostracization by teammates and/or retaliation from the NCAA and coaches/administrators.

7. Additionally, during the pendency of this litigation, I concluded my final season of collegiate athletics and began pursuing a professional football career. Given Defendants' immense power and influence in athletics, including professional football, I placed my ability to pursue future opportunities as a professional at risk through my involvement in this case. Still today, with the proposed settlement pending, and the substantial media attention surrounding it, my name is frequently mentioned in news articles and commentaries about the settlement, and I am often contacted about the case by members of the media, class members, and others in and around college sports.

8. Finally, I support final approval of the proposed settlement in this matter. I understand that the Court granted preliminary approval of it, and that the Court will hold a final approval hearing on April 7, 2025, per the current schedule. I am proud to have been a named plaintiff and played a

1 meaningful role in this litigation that has achieved a significant recovery for the classes and will greatly
2 benefit former, current, and future college athletes.

3
4 I declare under penalty of perjury under the laws of the United States that the foregoing is
5 true and correct.

6 Executed this 14 day of December, 2024 at Buffalo, NY.

7
8 

9 DEWAYNE CARTER